

M I N U T E S

FREEPORT TOWN COUNCIL MEETING #11-87

MAY 19, 1987

7:30 P.M.

FREEPORT HIGH SCHOOL

MEDIA CENTER

X Regular

 Special

<u>Chairperson's Call to Order</u>	Present	Absent	Excused
Edward Bonney, Chairperson, 21 Maple Avenue	<u>X</u>		
Robert Hartnett, Vice-Chairperson, Desert Road	<u>X</u>		
John Nelson, Church Street	<u>X</u>		
Vaughndella Curtis, Pine Street	<u>X</u>		
Hugh Phelps, Porters Landing	<u>X</u>		
William Ormsby, Lower Mast Landing	<u>X</u>		
William Grady, Elm Street Extension	<u>X</u>		

Moved and Seconded - To waive the reading of the Minutes of Meeting #10-87 held May 5, 1987, and accept the Minutes as printed.

(Councilors Hartnett & Curtis) (6 Ayes) (0 Nays)

Moved and Seconded - That the Council adjourn and the Licensing Board convene.
(Councilors Hartnett & Curtis) (6 Ayes) (0 Nays)

	Present	Absent	Excused
<u>Roll Call of Members</u>			
Edward Bonney	X		
Robert Hartnett	X		
Vaughndella Curtis	X		
Hugh Phelps	X		
John Nelson	X		
William Ormsby	X		
William Grady		X	X
Mary Wescott	X		
Dale Olmstead	X		

Moved and Seconded - That certain Victualer Licenses be granted a three month extension in which to pay their property taxes and other taxes.
(Members Curtis & Hartnett) (8 Yes) (0 No)

Moved and Seconded - That the following applications for Victualer Licenses be subject to Public Hearing:

NEIL ADAM, d/b/a Peddler - "Dogs by Rocky", Main Street (Key Bank Site)
DOROTHY ARNDT, d/b/a Peddler - "Depot Street Caboose" (corner Depot & Mill Streets)
ALAN & LORETTA BRADLEY, d/b/a "Captain Josiah Mitchell House" Bed&Breakfast, 188 Main St
JAMES BURGESS, d/b/a Burgess Market, Route #125
GERALD CLEMENTS, d/b/a Sam's Italian Foods Restaurant, 7 Main Street
JOHN & DAVID COFFIN, d/b/a Harraseeket Lunch, South Freeport Wharf
EDWARD COLLETT, d/b/a The Red Wheel Antiques, U. S. Route #1
JOHN COOKSON, d/b/a Cookie's, 15 South Street
JACQUELINE & LEWIS CORLISS, d/b/a The Village Inn, 186 Main Street
CAROLYN DOBSON, d/b/a Desert Dunes of Maine, Inc., Desert Road
MICHAEL DOHERTY, d/b/a Peddler - "Mainely Hotdogs", Main Street (LL Bean Sign Site)
VIRGINIA DOHERTY, d/b/a Peddler - "Lotz Ice Cream", Main Street (Bartol Library Site)
JAMES & GLYNROSE FRIEDLANDER, d/b/a "IsaacRandallHouse" Bed&Breakfast, Independence Drive
NANCY GRAY, d/b/a Harraseeket Inn Bed & Breakfast, 162 Main Street
STEPHEN JAMES, d/b/a Freeport Variety Store, 9 Main Street
ANNA JOHNSON, d/b/a The Crabby Lobster, 10 School Street
CHARLES KEEGAN, d/b/a Freeport Inn and Cafe, U. S. Route #1
JOHN & SUSAN LEWIS, d/b/a The Blue Onion Restaurant, U.S. Route #1 and Varney Road
JEAN MACLEOD, d/b/a Ocean Farms of Maine, Inc., 23 Main Street
RICHARD MARINO, d/b/a The Lobster Cooker, 39 Main Street
MTS ENTERPRISES, d/b/a McDonald's of Freeport, 155 Main Street
JOHN MORIN, d/b/a Freeport Automotive Center, 57 Main Street
JOHN NAPPI, d/b/a Bow Street Market, 79 Bow Street
PHILIP NAPPI, d/b/a Nappi's Country Store, U. S. Route #1
MALCOLM POHLE, d/b/a Freeport Country Club, Old County Road
ELAINE POLAKEWICH, d/b/a Maggie's, Desert Road
ROBERT POTTLE, d/b/a Peddler - "Cindy's Fish 'N Chips", Mallet Drive
WILLIAM PUSHARD, d/b/a Peddler - "Porky's Place", Main Street (Polo Site)
WILLIAM PUSHARD, d/b/a Peddler - "Porky's Place", Morse Street (LL Bean Parking Lot)
DAVID ROBERGE, d/b/a D.I.C. Inc. (Deering Ice Cream), 96 Main Street
ALAN & VERA ROGERS, d/b/a Florida Lake Campground, Route #125
RALPH ROUTHIER, d/b/a Holbrook Inn Bed & Breakfast, 7 Holbrook Street
GARY SNERSON, d/b/a Mr. Potato of Freeport, Inc., 24 Bow Street
LEONARD SHEAN, d/b/a Mom 'N Pops Village Store, South Freeport
VAUGHN & ALETRA STAIRS, d/b/a D's Mini Golf, Baker Road
JOHN STILES, d/b/a Jameson Tavern, 115 Main Street
RICHARD WAGNER, d/b/a Derosier's Market, 120 Main Street
CATHERINE WILBUR, d/b/a Peddler - "Andy's Pushcart", Main Street (Mobil Sign Site)
JAMES WILLEY, d/b/a Canteen Service Co., Double L Street (LL Bean Manufacturing Building)
JAMES WILLEY, d/b/a Canteen Service Co., "The Beanery", Casco Street
(Members Wescott & Ormsby) (8 Yes) (0 No)

Continued -

Moved and Seconded - That the Public Hearing be closed.
(Members Wescott & Curtis) (8 Yes) (0 No)

ITEM #110-87 Be It Ordered - That the above-named applications for
Victualer Licenses be approved.
(Members Curtis & Hartnett)
(8 Yes) (0 No)

Moved and Seconded - That the Licensing Board adjourn and the Council reconvene.
(Members Hartnett & Phelps) (8 Yes) (0 No)

Moved and Seconded - That the proposed amendments to the Harbor Rules and
Regulations be subject to Public Hearing.
(Councilors Nelson & Ormsby) (6 Ayes) (0 Nays)

For the record, Councilor Grady is present at 7:50 P.M.

Moved and Seconded - That the Public Hearing be closed.
(Councilors Hartnett & Curtis) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Harbor Rules and
Regulations be tabled until June 2, 1987.
(Councilors Hartnett & Curtis) (7 Ayes) (0 Nays)

ITEM #112-87 Be It Ordered - That a Public Hearing be scheduled for
May 26, 1987 at 7:30 P.M. in the High School Media Center
to discuss the proposed Municipal Budget for Fiscal Year 1988.

Be It Further Ordered - That 30 copies be printed and
distributed between the Town Clerk's Office and the B.H.
Bartol Library for inspection by citizens.
(Councilors Grady & Curtis)
(7 Ayes) (0 Nays)

ITEM #113-87 Be It Ordered - That a Public Hearing be scheduled for
June 2, 1987 at 7:30 P.M. in the Media Center of Freeport
High School to discuss the proposed Discontinuance of a
Street Light located on the Pleasant Hill Road - Pole #34.
(Councilors Nelson & Curtis)
(7 Ayes) (0 Nays)

ITEM #114-87 Be It Ordered - That a Public Hearing be scheduled for
June 2, 1987 at 7:30 P.M. in the Media Center of Freeport
High School to discuss proposed amendments to the Shellfish
Conservation Ordinance.

Be It Further Ordered - That 30 copies be printed and
distributed between the Town Clerk's Office and the B.H.
Bartol Library for inspection by citizens.
(Councilors Ormsby & Hartnett)
(7 Ayes) (0 Nays)

ITEM #115-87 Be It Ordered - That a Public Hearing be scheduled for June 2, 1987 at 7:30 P.M. in the Media Center at Freeport High School to discuss adopting a Flood Plain Management Ordinance.

Be It Further Ordered - That 30 copies be printed and distributed between the Town Clerk's Office and the B.H. Bartol Library for inspection by citizens.
(Councilors Phelps & Curtis)
(7 Ayes) (0 Nays)

ITEM #116-87 Be It Ordered - That a Public Hearing be scheduled for June 2, 1987 at 7:30 P.M. in the Media Center at Freeport High School to discuss proposed amendments to the Traffic and Parking Ordinance.

Be It Further Ordered - That 30 copies be printed and distributed between the Town Clerk's Office and the B.H. Bartol Library for inspection by citizens.
(Councilors Hartnett & Curtis)
(7 Ayes) (0 Nays)

ITEM #117-87 Be It Ordered - That Julia K. Hamlin be appointed, effective immediately, to serve as a member of the Design Review Board until October 1, 1987.

Be It Further Ordered - That Ms. Hamlin qualify by swearing an oath of office before the Town Clerk by May 29, 1987.
(Councilors Curtis & Hartnett)
(7 Ayes) (0 Nays)

ITEM #118-87 Be It Ordered - That Peter Bogle be appointed, effective immediately, to serve as a member of the Coastal Waters Commission until April 1, 1990.

Be It Further Ordered - That Mr. Bogle qualify by swearing an oath of office before the Town Clerk by May 29, 1987.
(Councilors Curtis & Hartnett)
(6 Ayes) (0 Nays)
For the record, Councilor Ormsby was not present to vote.

ITEM #119-87 Be It Ordered - That Russell Cox be reappointed, effective immediately, to serve as Freeport's Representative to the Area Development Council - Greater Portland, Maine, until June 1, 1988.
(Councilors Curtis & Ormsby)
(7 Ayes) (0 Nays)

Council Chairperson Bonney acknowledged a letter written by residents living on Foster Avenue; due to development on the road, the boundary lines have been altered drastically to cause the town trucks turning around to turn on Albert Childs' property; the residents wish the town to reaccept a right-of-way showing correct boundary lines; the Ordinance Committee will make a recommendation to the Council as to what action should be taken or not.

Moved and Seconded - To strike out the name of Elizabeth and substitute the name of Dorothy in this Order.

(Councilors Curtis & Hartnett) (7 Ayes) (0 Nays)

ITEM #120-87 Be It Ordered - That Elizabeth Pearson (amended above) be appointed, effective immediately, to serve as a member of the B.H.Bartol Library Board of Trustees until April 1, 1988.

Be It Further Ordered - That Ms. Pearson qualify by swearing an oath of office before the Town Clerk by May 29, 1987.

(Councilors Curtis & Hartnett)
(7 Ayes) (0 Nays)

ITEM #121-87 Be It Ordered - That surplus property located in the Gymnasium at the former Middle School Site be sold to Pine Tree Academy for the sum of one dollar.

(Councilors Grady & Curtis)
(7 Ayes) (0 Nays)

Chairperson Bonney informed the Council that the laminated spruce beams will not be salvaged from the gymnasium.

Town Manager Olmstead read the following bids:

1. Yankee Ford - \$31,219 - option \$1,200 - TOTAL BID \$32,419.00
2. Bob Chambers - \$32,900 - option was listed in the base price - TOTAL BID \$32,900.
3. Auburn Motors - \$32,287 - option in base price - trade in \$7,500- TOTAL BID \$24,78
- 4.No.Truck Center - \$30,736 - option 470 - trade in \$5,017 - TOTAL BID \$26,189.00

ITEM #122-87 Be It Ordered - That the bid from Auburn Motors in the amount of \$24,787.00 for a new Ford Dump Truck be accepted.

(Councilors Nelson & Curtis)
(7 Ayes) (0 Nays)

Town Manager Olmstead read the following two bids:

1. Burton Seymour - \$25,360.00
2. Harold Ingerson - \$11,950.00

ITEM #123-87 Be It Ordered - That the bid from Harold Ingerson in the amount of \$11,950.00 for the Demolition of the Former Middle School Gymnasium be accepted.

(Councilors Nelson & Curtis)
(7 Ayes) (0 Nays)

Moved and Seconded - To table Item #108-87 (Reallocation of Capital Funds) until June 16, 1987.

(Councilors Hartnett & Curtis) (7 Ayes) (0 Nays)

Other Business:

1. Chairperson Bonney mentioned a letter he had received from the Chairman of the Sewer District stating they had declined a decision to encompass a water company.
2. Chairperson Bonney acknowledged a request from Richard Marino regarding a zone change in the area of the old Middle School Site Parking Lot; the matter is presently before the Planning Board.
3. Mr. Bonney acknowledged another letter received from the Archangel Committee where they are interested in setting up "sister cities/towns" between cities/towns in the United States and the Soviet Union.
4. Town Manager Olmstead received a letter from Dolores Thomas, Church Planner, on behalf of the Brunswick Maine Street Baptist Church who are requesting use of Bow Street Park from July 13 thru July 17 from 9:30 AM until 11:30 AM to provide summer activities for children; they will provide insurance liability; they also want to erect a canopy; Council agreed they could use the park for the dates specified.
5. The Town Council have written a letter to the Maine Dept. of Transportation making recommendations for signage on I-95 to assist tourists in the busy summer months as suggested by the Traffic & Parking Committee.
6. Mr. Olmstead mentioned ^{there} is a new Page 50 of the Budget; the School has revised their figures down ward, thus, this causes the tax rate to drop from 1.14 to .85 mills - a 6% increase.
7. Councilor Grady made a suggestion that the tennis courts be used as basketball facilities when not in use.
8. Vice-Chairperson Hartnett was upset with how administrative personnel ^{were} handling peddlers on private property; that personnel were interpreting how peddlers on private property should be managed and since councilors have intentionally refused to deal with them, thus, he felt that no specific criteria has been set up to handle this situation; until such time as councilors come up with some sort of a plan, the Town Manager has been instructed to notify the town office personnel to not take any action regarding peddlers on private property.

Moved and Seconded - That Council enter into Executive Session to discuss a personnel matter.

(Councilors Ormsby & Nelson) (7 Ayes) (0 Nays)

Moved and Seconded - That the Council reconvene.

(Councilors Grady & Hartnett) (7 Ayes) (0 Nays)

Moved and Seconded - That the Council adjourn at 11:55 P.M.

(Councilors Hartnett & Grady) (7 Ayes) (0 Nays)

The foregoing was recorded by:

Mary D. Wescott
Mary D. Wescott, Council Secretary